



Docket No.: 05500-00098-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Xavier Marze

Application No.: 09/180,477

Confirmation No.: 6820

Filed: February 5, 1999

Art Unit: 1616

For: PROTECTION AGAINST TERMITES

Examiner: N. S. Levy

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**CLARIFICATION OF RECORD INCLUDING  
SUBSTANCE OF INTERVIEW WITH EXAMINER**

Dear Sir:

On October 14, 2004, the undersigned attorney contacted Examiner Levy by telephone to point out two errors that were made on the Notice of Allowability. Specifically, the Notice of Allowability dated August 4, 2004, indicated: (1) that it was responsive to an "amendment and arguments of 07/15/04"; and (2) that corrected drawings were required including the changes required by a Form PTO-948 that was attached to paper number 15.

With respect to the first error, applicants did not file an amendment or arguments for this application on or near July 15, 2004. After discussing this matter with the Examiner, it was determined that the Examiner was referring to the Amendment dated April 26, 2002, which was attached to the Resubmission of Petition to Revive Application document that was filed with the USPTO on May 28, 2004. For some reason, this Amendment was not stamped into the Examiner's Art Unit until July 15, 2004.

With respect to the second error, the present application has no drawings. Also, a Form PTO-948 was not attached to paper number 15, or any other paper from the USPTO concerning this application. Thus, there should be no outstanding requirement concerning drawings, as there are none.

Applicant believes that no fee is due with this paper. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 05500-00098-US from which the undersigned is authorized to draw.

Dated: November 1, 2004

Respectfully submitted,

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899

(302) 658-9141

(302) 658-5614 (Fax)

364399\_1.DOC

By 

William E. McShane

Registration No.: 32,707

Attorney for Applicant